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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,889	05/22/2002	Ta-Hsiung Hu	8493-US-PA	2368

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JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER

BATURAY, ALICIA

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/063,889

Applicant(s)

HU, TA-HSIUNG

Examiner

Alicia Baturay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10/063,889.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 are pending.

Claim Objections

2. Claim 1 is objected to because of the following informalities: Applicant states "An network on-line message conversation system..." It is believed Applicant meant to write "A network on-line message conversation system..." Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 recites the limitation "the registration" on lines 2 and 6. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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6. Claims 1-6, and 8-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Krishnaswamy et al. (U.S. 6,909,708).

Krishnaswamy teaches the invention substantially as claimed including user participation in video conference calls in which users can share audio, video, and data with other conference participants (Krishnaswamy, see Abstract).

7. With respect to claim 1, Krishnaswamy teaches an network on-line message conversation system, comprising:

A first user side host, where the first user side host processes the registration on the network, and issues a first conversation signal and a first download signal (Krishnaswamy, col. 133, lines 62-67); a second user side host, where the second user side host processes the registration on the network, and issues a second conversation signal that indicates the intention to communicate with the first user side host and a second download signal; and a registration server for receiving the first conversation signal, the first download signal, the second conversation signal and the second download signal (Krishnaswamy, col. 134, lines 28-32), where the registration server comprises: a first reading process unit and a first writing process unit that are generated corresponding to the first user side host connection registration, and are used to write a first on-line message and to read a second on-line message; a second reading process unit and a second writing process unit that are generated corresponding to the second user side host connection registration, and are used to write the second on-line message and to read the first on-line message (Krishnaswamy, col. 133, lines

27-35); a first channel register connected to the first writing process unit and the second reading process unit that is used to store the first on-line message; and a second channel register connected to the second writing process unit and the first reading process unit that is used to store the second on-line message (Krishnaswamy, col. 127, lines 35-38).

8. With respect to claim 2, Krishnaswamy teaches the invention described in claim 1, including the network on-line message conversation system, where the registration server comprises a registration file that includes the identity, the flag and the state of the first user side host and the second user side host (Krishnaswamy, col. 131, lines 56-63).

9. With respect to claim 3, Krishnaswamy teaches the invention described in claim 1, including the network on-line message conversation system, where the first on-line message and the second on-line message comprise voice information, video information and pure text information (Krishnaswamy, col. 129, lines 39-40).

10. With respect to claim 4, Krishnaswamy teaches the invention described in claim 1, including the network on-line message conversation system, where the first writing process unit and the second reading process unit can not process the writing and reading operation of the first on-line message on the same storage address of the first channel register at the same time (Krishnaswamy, col. 128, lines 51-54). It can be inferred that if a user is not alerted until a new message is waiting, that the user cannot access the message until it is finished being recorded.

11. With respect to claim 5, Krishnaswamy teaches the invention described in claim 1, including the network on-line message conversation system, where the second writing process unit and the first reading process unit can not process the writing and reading operation of the second on-line message on the same storage address of the second channel register at the same time (Krishnaswamy, col. 128, lines 51-54). It can be inferred that if a user is not alerted until a new message is waiting, that the user cannot access the message until it is finished being recorded.
12. With respect to claim 6, Krishnaswamy teaches the invention described in claim 1, including the network on-line message conversation system, where the first user side host and the second user side host can be a user side host having either a virtual IP address or a real IP address (Krishnaswamy, col. 128, lines 21-27).
13. With respect to claim 8, Krishnaswamy teaches the invention described in claim 1, including the network on-line message conversation system, where the transmission method of the first on-line message and the second on-line message is a streaming communication mode (Krishnaswamy, col. 131, lines 46-51).
14. With respect to claim 9, Krishnaswamy teaches the invention described in claim 1, including the network on-line message conversation system, where the network on-line message conversation system is a real time system (Krishnaswamy, col. 129, lines 22-25).

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15. With respect to claim 10, Krishnaswamy teaches a registration server for network on-line message conversation, comprising:

A plurality of reading process units, where each reading process unit is generated corresponding to each of a plurality of user side host connection registrations, and after receiving a plurality of download signals issued by the user side hosts, reads a plurality of on-line messages; a plurality of writing process units, where each writing process unit that is generated corresponding to each of a plurality of user side host connection registrations is used to write the on-line messages (Krishnaswamy, col. 133, lines 27-35); and a plurality of channel registers, used to store the on-line messages (Krishnaswamy, col. 127, lines 35-38).

16. With respect to claim 11, Krishnaswamy teaches the invention described in claim 10, including the registration server for network on-line message conversation, where each of the reading process units and each of the writing process units of each of the user side hosts corresponds to a channel register respectively (Krishnaswamy, col. 133, lines 27-35).

17. With respect to claim 12, Krishnaswamy teaches the invention described in claim 10, including the registration server for network on-line message conversation, where reading and writing from/to the same storage address of the same channel register is exclusive (Krishnaswamy, col. 128, lines 51-54). It can be inferred that if a user is not alerted until a new message is waiting, that the user cannot access the message until it is finished being recorded.

18. With respect to claim 13, Krishnaswamy teaches the invention described in claim 10, including the registration server for network on-line message conversation, where the transmission method of the on-line message is a streaming communication mode (Krishnaswamy, col. 131, lines 46-51).
19. With respect to claim 14, Krishnaswamy teaches the invention described in claim 10, including the registration server for network on-line message conversation, where the registration server is a real time processing server (Krishnaswamy, col. 129, lines 22-25).
20. With respect to claim 15, Krishnaswamy teaches the invention described in claim 10, including the registration server for network on-line message conversation, where the registration server is a broadcast transmission server (Krishnaswamy, col. 126, lines 63-67).
21. With respect to claim 16, Krishnaswamy teaches the invention described in claim 10, including the registration server for network on-line message conversation, where the registration server comprises a registration file that includes the identity, the flag and the state of the user side hosts (Krishnaswamy, col. 131, lines 56-63).
22. With respect to claim 17, Krishnaswamy teaches the invention described in claim 10, including the registration server for network on-line message conversation, where the user side hosts can be a user side host having either a virtual IP address or a real IP address (Krishnaswamy, col. 128, lines 21-27).

23. With respect to claim 18, Krishnaswamy teaches a network on-line message conversation method, comprising:

Providing a registration file that is used to record a status of the connection registration and a conversation partner of a plurality of users (Krishnaswamy, col. 131, lines 56-63); allowing the user to possess the function of reading and writing an on-line message after a user connection registration is successful (Krishnaswamy, col. 133, lines 27-35); determining whether the conversation partner that the user intends to communicate with, is also online or not, and determining whether the conversation partner intends to communicate with the user or not via the registration file; where when the conversation partner that the user intends to communicate with, is connected and registered in the registration file and also has intention to communicate with the user, temporarily storing the on-line message written by the user and the conversation partner (Krishnaswamy, col. 131, lines 54-65); and where when the user and the conversation partner intend to obtain the on-line message of the opposing party, reading the stored on-line message initialized within a duration of the response time (Krishnaswamy, col. 131, lines 65-67).

24. With respect to claim 19, Krishnaswamy teaches the invention described in claim 18, including the network on-line message conversation method, where the on-line message comprises voice information, video information and pure text information (Krishnaswamy, col. 129, lines 39-40).

25. With respect to claim 20, Krishnaswamy teaches the invention described in claim 18, including the network on-line message conversation method, where the on-line message received by the user is broadcast sequentially in a manner of first come first serve (Krishnaswamy, col. 126, lines 63-67).

Claim Rejections - 35 USC § 103

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnaswamy as applied to claim 1 above, and further in view of Dell ("C++ Plus Data Structures").

28. With respect to claim 7, Krishnaswamy teaches the invention described in claim 1, including the network on-line message conversation system (Krishnaswamy, col. 129, lines 22-25).

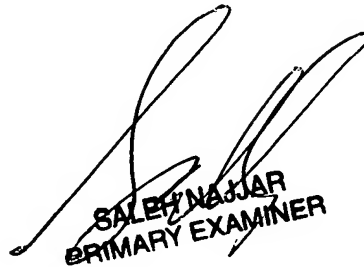
Krishnaswamy does not explicitly teach the channel registers as circular registers.

However, Dell teaches an implementation where the first channel register and the second channel register can be a circular register (Dell, Fig. 5.19; pages 290-291, "A Circular Linked Queue Design").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Krishnaswamy in view of Dell in order to implement the channel

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registers as circular registers. One would be motivated to do so in order to simplify the method of storing messages in memory, thus allowing the server to run more efficiently for the reading and writing of messages.



SALEH NAJJAR
PRIMARY EXAMINER

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
June 24, 2005